



Stakeholder Update for Amended Agreement State
Status - Uranium Mills and Tailings
Utah Division of Radiation Control
Utah Department of Environmental Quality
Update #8 - October 10, 2002

Purpose: This is a series of updates to be provided to stakeholders interested in following the process of the Division of Radiation Control's efforts to achieve an amended Agreement with the Nuclear Regulatory Commission to regulate uranium mills and tailings within the State of Utah

Rulemaking update: All rules relating to authority granted by the Utah legislature have been completed. Six existing rules required changes. They were R313-22-33(1)(e) [effective June 14, 2002], R313-70-7(2)(b)(c)(d) [effective September 12, 2002], R313-17-2(1)(a) [effective September 12, 2002], R313-15-1001 [effective July 22, 2002], R313-19-2 [effective October 7, 2002], and R313-22-39 [effective July 22, 2002]. One new rule, R313-24 was made effective on October 7, 2002.

A continuing issue identified in the comments to R313-24 was the replacement of 10 CFR Part 40, Appendix A, Criteria 5(b)1 through 5H, 7A, and 13 with Utah Administrative Code R317-6, Groundwater Quality Protection. Under Section 274(o) of the Atomic Energy Act, an Agreement State may propose alternatives to the regulatory program (under Appendix A) to protect public health, safety, and the environment. The Division is still working with the NRC in an effort to establish the process for dealing with an "alternative standard" (the groundwater program).

Radiation Control Board membership: The Executive Secretary has been soliciting names for membership on the Radiation Control Board to fill the two positions created by the 2002 Legislature in SB96. One new member is to be a representative of the uranium milling industry and the other new member is to be a representative of the general public. Deadlines for submissions of names to the Executive Secretary for consideration is October 18, 2002. It is anticipated that names will be submitted to the Governor during the first of November for Senate confirmation during November 2002.

Submission of final application: With the completion of rulemakings, the Division is preparing the final application to submit to the NRC for review. It is anticipated that this will be completed during October 2002.

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